

FILED
Western District of Washington
at Seattle

JUN 03 2021

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AT SEATTLE
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WESTERN DISTRICT OF WASHINGTON
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

HUGH L. HUBBARD,

Plaintiff,

vs.

LOUIS DeJOY, POSTMASTER
GENERAL, UNITED STATES POSTAL
SERVICE (WESTERN WASHINGTON
AREA) AGENCY,

Defendant.

NO. 2:15-cv-1746--- 2:21-cv-00738 MJP

COMPLAINT FOR DISCRIMINATION
AND RETALIATION FOR CLAIMING
DISCRIMINATION
(Jury Requested)

COMES NOW the Plaintiff, Hugh L. Hubbard, proceeding pro se, and for
causes of action against Defendant alleges as follows:

I. PARTIES

A. Plaintiff. The Plaintiff is a single African American individual who, at all times

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relevant hereto, has been a resident of the City of Seattle, King County, Washington.

B. Defendant Louis DeJoy, Postmaster General, United States Postal Service (Western Washington Area) Agency. Defendant Louis DeJoy, Postmaster General, United States Postal Service (Western Washington Area) Agency (hereinafter "Postal Service") is and has at all times relevant hereto been a political subdivision of the United States of America doing business in Seattle and Western Washington, United States.

II. JURISDICTION This court has primary jurisdiction of this matter under the United States Civil Rights Act of 1964, 42 U.S.C. §2000(B)(a), et seq., 42 U.S.C. §1983, 42 U.S.C.

§1985(3), the United States Constitution's Amendment 5 and 14, and 28 U.S.C. §1331.

III. EXHAUSTION OF ADMINISTRATIVE REMEDIES

Plaintiff has complied with all requisite administrative procedures prior to filing this action. Plaintiff filed a formal complaint for discrimination and retaliation for filing discrimination charges with the Postal Service. On March 15, 2021, Plaintiff received a Dismissal of Formal Complaint from the Postal Service. In that Dismissal, Plaintiff was advised that he could file a civil action in an appropriate District Court within 90 days of his receipt of that Dismissal decision.

IV. RELEVANT FACTS

A. Employment with Postal Service. Plaintiff has been and still is employed by

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1 the Postal Service as a mail carrier for 32 years. He previously prosecuted two
2 discrimination action in this Court. One settled prior to trial in 2005 and one dismissed
3 without prejudice in 2016.

4 B. Discrimination and Retaliation. On and after March 3, 2015, Plaintiff has been
5 subjected to racial discrimination and retaliation by the Postal Service through their
6 inspection agency the Office of Inspector General agents following him on and off the
7 clock and on his days off, watching and recording while he was on his delivery route,
8 sending him checks in open envelopes, credit cards with pin numbers, packages with
9 fictitious names and addresses and using a civilian in a sting who threatens him.

10 V. CAUSE OF ACTION FOR DISCRIMINATION AND RETALIATION

11 A. Plaintiff re alleges sections I through IV above as if fully set forth herein.

12 B. By reason of the foregoing, the Postal Service has engaged in a course
13 of unlawful racial discrimination and retaliation against Plaintiff.

14 XIV. DAMAGES

15 A. Proximate Cause. The acts alleged by Plaintiff in the causes of action
16 set forth above have each caused damages to Plaintiff. The extent and the amount of
17 Plaintiff's damages will be proven at trial.

18 B. Specific Damages. As a result, Plaintiff has suffered and continues to suffer
19 pecuniary and emotional damage, including, but not limited to, the following:

20 1. Damages for Plaintiff's physical harm, public and private humiliation,
21 stress, irreparable harm to Plaintiff's reputation and career, mental anguish, and severe
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1 emotional distress which are continuing in nature;

2 2. Other specific damages, in an amount as Plaintiff may establish at trial,
3 including, without limit, uninsured medical treatment expenses, and other expenses
4 related to the wrongful acts.

5 3. Plaintiff's reasonable litigation expenses, attorney's fees and costs
6 pursuant to Section 7 of the Civil Rights Act of 1964.

7 XV. DEMAND FOR RELIEF

8 WHEREFORE, Plaintiff prays for judgment against Defendant as follows:

9 A. Compensatory Damages. Compensatory damages as may be proven at
10 trial pursuant to the statutes and legal theories and damages referenced in this
11 complaint;

12 B. Elimination of Hostile Work Environment or Front Pay. For an order
13 directing Defendant to correct the discriminatory work environment in which Plaintiff is
14 employed, or if Defendant are unable to eliminate the pervasive discrimination which
15 pervades Plaintiff's work environment, for an award of additional and future damages for
16 front pay and benefits against Defendant;

17 C. Other Relief. Such other and further relief as the court deems equitable,
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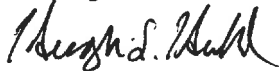
1 including, without limit:

2 1. Leave to join additional entities or individuals as party Defendants and to
3 join additional claims in the event that information is developed in the course of discovery
4 which would warrant such a joinder; and

5 2. Leave to amend the pleadings to conform to evidence submitted at trial
6 pursuant to Federal Rule of Civil Procedure 15.

7 Dated: June, 3 2021

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9 Hugh L. Hubbard

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